



MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
And Third Tuesday of each month

REGULAR MEETING

County Courthouse
Bridgeport, California 93517

January 10, 2006

Tape Numbers	3099-1	3099-2
Minute Orders	M06-001	M06-006
Resolutions	R06-001	R06-004

January 17, 2006

Tape Numbers	3100-1	3100-4
Minute Orders	M06-07	M06-010
Resolutions	R06-05	R06-06

9:04 a.m. Meeting called to order by Chairman Supervisor Byng Hunt

Pledge of Allegiance led by Supervisor Cecil

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Approximately
15 minutes

DEPARTMENT REPORTS/EMERGING ISSUES

BOARD MEMBER REPORTS

WELCOME TO LIN KOESTER.

- CECIL: MONO BASIN RPAC MEETING
- BAUER: RPAC MEETING CANCELLED, CHAMBER OF COMMERCE MEETING (MEETING CONCERNING CALTRANS)
- HUNT: SEXUAL HARASSMENT TRAINING (HUNT IS UNAVAILABLE), INTERESTING CALIFORNIANS AGAINST HIGHER INSURANCE RATES LETTER, AND ASKING THE BOARD OF A LETTER OF SUPPORT. I WOULD LIKE AN AGENDIZED DISCUSSION IN EARLY FEBRUARY, EASTERN SIERRA COUNCIL MEETING, ETC.
- HAZARD: MCPEA NEGOTIATIONS, REQUEST DISCUSSION ON SECURITY ISSUES AT MID-YEAR BUDGET REVIEW

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report and Tracking Report re Board Assignments (**David Wilbrecht**)
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities. Review and potentially revise Tracking Report of Board assignments.

January 17, 2006

Child Care Counsel meeting attended by David Wilbrecht. You're going to see a very strong effort. The funding is still uncertain but they're asking for certain levels of commitment. I recommended a supportive role. I agreed to serve on one of the sub-committees. I attended the MCPEA negotiations. I also met with our Asst. Clerk and the Clerk Recorder concerning the agenda policy. We changed our procedure a bit. Monday the Clerk will put together a tentative agenda.

County Counsel's Office we will follow up with any changes or additions to the agenda. Wed is the production day and Thursday it will be sent for delivery by Friday.

CLOSED SESSIONS

Adjourned to closed session from 9:08a.m. thru 10:37

Recess thru 10:43 a.m. 10:51

- 2) CONFERENCE WITH LABOR NEGOTIATORS (MCPE). Government Code §54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, and Robert Garret. Employee organizations: Local 39 (MCPE, DPOU), Paramedic Fire and Rescue Association, Sheriff's Officers' Association (DSA), Sheriff Department Management Association, Public Safety Officers Association, Management Council. Unrepresented employees: County Administrator, County Counsel, Deputy County Counsel, Mental Health Director, Social Services Director, Public Health Director, Health and Human Services Director, Deputy county Administrative Officer/Human Resources Director; Deputy County Administrative Officer/Risk Manager; Health Officer, Psychiatrist, Assistant Public Works Director, Project Manager, Assistant District Attorney, District Attorney Chief Investigator, Assistant Treasurer-Tax Collector, Assistant Auditor-Controller, IT Director, Building Official, Budget & Organization Analyst, Assistant Clerk-Recorder, Probation Officer, and Child Support Director, Undersheriff, Paramedic/Fire Chief, and Assistant Assessor.
- 3) CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION. **Significant exposure** to litigation pursuant to subdivision (b) of Government Code §54956.9. Number of potential cases: One.

CONSENT AGENDA

COUNTY COUNSEL/ASSESSOR

- 4) Assignment/Amendment of Agreement for Special Counsel Services
ACTION: Approve County entry into proposed Assignment and Amendment of Agreement for Services of Special Counsel with the Law Offices of Brett L. Price and Kronick, Moskovitz, Tiedemann, and & Girard, a law corporation, and authorize the Board chair to sign said document.
(Hazard/Cecil 4-0; Farnetti Absent)

January 17, 2006

REGULAR AGENDA

ASSESSOR/COUNTY COUNSEL

- 6) Provision of Parcel Boundary Map Data to the Public (Stacey Simon)
R06-05
- ACTION:** Adopt **Resolution (R06-05)** repealing the \$5.00 fee enacted by Resolution R05-001 for the provision of assessor's parcel maps to the public.
(Cecil/Hazard 4-0; Farnetti Absent)

Stacey Simon addressed the Board. This item is in two parts. First is self-explanatory. Last year you adopted a fee resolution for the provision of certain data from the Assessor's Office. Pursuant to these special sections in the R&T Code, \$5.00 was charged for parcel maps. After that, the Attorney General came out with an opinion; parcel maps are not covered under this section. This was news to most counties in California.

Nate Greenberg addresses the Board. The GIS has a return of investment other than cost recovery for increased public efficiency that we offer. I've been part of a public data consortium and some of the other counties, have noticed an increase in revenue through forms of taxation. Those projects incur taxation fees and a return to the county. The amount of time dedicated could be cut down if we delivered the information on a consistent basis. Bauer; We are not mandated to provide that. Simon; the question is for what price and what form? Electronic records are subject to the Public Records Act. There is clearly an argument, that these GIS databases are covered by the Public Records Act fee provisions. Do we want to take on that issue and litigate it or take a conservative approach? Hazard; How does the GIS data compare to the Assessor data? Discussion followed. Jim Lovett addressed the Board. The Grant Deed is what describes the property.

Hunt; Ability to recoup the cost? Simon; Ability to recoup costs of making the copy. Maybe \$5.00, maybe \$10.00 which is very different than the cost of creating the database. Hunt; I could understand the opinion but what if we were to copyright our product? Simon; There is no procedure to copyright a product. You assert that you have a copyright. You can register unlike a patent. A copyright is a claim through litigation that you were the owner of that product. We have registered the GIS database with the copyright office. It will have limitations. In anticipation in adopting a fee, there were several people wanting information. They paid \$500.00, willingly, for the GIS database. We could offer a refund.

January 17, 2006

SHERIFF-CORONER

7)
Purchase of
Seven (7) 2006
Ford 4x4
Expeditions

M06-06

Purchase of Seven (7) 2006 Ford 4x4 Expeditions (**Daniel A. Paranick**)

ACTION: (1) Approve the purchase of up to seven (7) SUV vehicles consisting of Ford Expeditions and/or Explorers for the Sheriff's Department. (2) Authorize the Director of Public Works to go out to bid and to execute the necessary documents required for the purchase of these vehicles.

(Bauer/Cecil 4-0; Farnetti Absent)

Daniel A. Paranick addressed the Board. *(Read from his staff report)*

Hunt: \$210,000 was vehicles only and a grand total to \$270,000. Do you need 7 expeditions? Can you get by with 2 Explorers? Paranick: The last time we tried Explorers, they did not work for us. They are smaller and for non-patrol uses, we can use some of those. Cecil; the vehicles you're going to replace are which ones? Most of the replaced vehicles are those with higher mileage. We rotate the older vehicles to undercover, etc. Bauer; Discuss how the overtime budget is married into the funds involved.

Evan Nikirk addressed the Board concerning old vehicle policy. Make the vehicles available to department heads, sell it for a \$1.00 to special districts, etc. Hazard; We need to light a fire under Public Works to develop a policy. Cecil; I like Evan's idea to go out for 5 and 7.

PUBLIC WORKS

8)
Application for
Grand
Funding for
the Mono
County
Courthouse

R06-06

Application for Grand Funding for the Mono County Courthouse (**Kelly Garcia**)

ACTION: (1) Approve and authorize the Department of Public Works to prepare and submit a grant application to the California Cultural and Historical Endowment for accessibility, exterior, interior and interpretive improvements to the Mono County Courthouse. (2) Approve and authorize the Chairman's signature on a **Resolution** approving the application for CCHE grant funds for the California Cultural and Historical Endowment under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.

(Bauer/Cecil 4-0; Farnetti Absent)

Kelly Garcia addressed the Board. This is the grant that I had mentioned (handout given to the Board titled MONO COUNTY COURTHOUSE REHABILITATION FUNDING/COST DISTRIBUTION). Discussion.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item)

January 17, 2006

COMMUNITY DEVELOPMENT

9a)

Mono Basin
Regional
Planning
Advisory
CommitteeMono Basin Regional Planning Advisory Committee (**John Cecil, Larry Johnston**)**ACTION:** Consider the re-appointment of four members and appointment of a new member to the Mono Basin RPAC, as recommended by Supervisor Cecil.**(Hazard/Cecil 4-0; Farnetti Absent)**

M06-10

9b)

Mono Basin
RPACMono Basin RPAC Resolution requesting that the Mono Basin be excluded from the area identified as "South County" in reference to the Development Impact Fee Ordinance (**Scott Burns, Larry Johnston**)**ACTION:** (1) Review and consider request of the Mono Basin RPAC. (2) Note: Members of the Mono Basin RPAC may request to address the Board regarding this matter. Support of request: Bauer, Cecil, Hunt, and Hazard; Farnetti absent.

Scott Burns addressed the Board. We've asked our consultant to respond to their concerns. I also recall when the impact fee was before your Board. The Board's rationale at that time to a Mono Basin resident, was that you were interested in passing this in north county as well. *(Mono Basin Resolution copy passed to the Board)*. Cris Leitza, Mono Basin RPAC, addressed the Board. There should have been a little pro-activity especially in the community of Lee Vining. Our community has needs as well. Cecil; I have always considered Mono City and Lee Vining are so similar to North County. Tim Hansen addressed the Board. The key word is development. Small-time people building in Mono City shouldn't be classified as developers. Hazard; I disagree with every point in your letter. I have real issues with the representation here. I will tell you that I will support your being considered North County. You need to be involved there. Burns; We did not discuss this with RPACs. You're not increasing the fee. Rudolph; You can't take action today.

January 17, 2006

ECONOMIC DEVELOPMENT & SPECIAL PROJECTS**10)**Aquaculture
Contractor on
Conway
Ranch**(Dan Lyster)**

ACTION: Receive recommendation from Mono County Fisheries Commission (MCFC) for the aquaculture contract on Conway Ranch and provide necessary direction to staff with MCFC.

Dan Lyster addressed the Board. The Fisheries Commission has met a number of times on this issue and we have narrowed down the field for a recommendation: We award to the contract to IAG Aquaculture Group. Unless there are any questions, I am looking for direction from the Board as to initiation of negotiations. Todd Banning addressed the Board. Cecil; I think we're in the right direction. We look forward to assisting the county. Bauer; Time frames on how this will proceed. Lyster; we are going to talk to County Counsel's Office. Banning; We would like this matter to come before the Board in February. Rudolph; Discussion as to whether the Board designates a time for this to come before the Board. I would like the sub-committee to attend this closed session if possible. Hunt; Sure.

11:20 am

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of interest of the public that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

HEALTH DEPARTMENT**11)**Request for
Proposal for
Mosquito
Abatement
ServicesRequest for Proposal for Mosquito Abatement Services **(Louis Molina)**

ACTION: (1) Approve the request for proposal for Mosquito Abatement Services. (2) Approve and authorize the Clerk of the Board, in consultation with the Environmental Health Division, to solicit proposals.

(Cecil/Bauer 4-0; Farnetti Absent)

M06-07

Louis Molina addressed the Board. Last spring applied for some grant money. We did receive approval for the grant. We have \$142,000+ to go into some type of implementation. Hunt: Is this an ongoing grant? Molina: This grant sunsets in June of 2006.

January 17, 2006

MENTAL HEALTH

12)

Contract:
Crestwood
Behavioral
Health
(Second
Amendment)

Contract: Crestwood Behavioral Health (Second Amendment) **(Ann Gimpel)**

ACTION: Approve and authorize Chairman's signature on the second amendment of the contract with Crestwood Behavioral Health for mental health rehabilitation services.

(Bauer/Cecil 4-0; Farnetti Absent)

M06-08

Ann Gimpel addressed the Board.

Adjourned meeting at 1:04 p.m.

***Meeting Adjourned to Reconvene to
Regular Session at the
Chalfant Community Center @ 6:00 p.m.***

Public Hearing reconvened at 7:10 p.m.

Meeting notes and recording taken by CD Ritter for Christy Robles

Present: Bauer, Cecil, Hazard, and Hunt; Farnetti Absent

6:00 pm

COMMUNITY DEVELOPMENT

13)

Mountain Vista
Specific Plan,
General Plan
Amendment
03-02,
Tentative Tract
Map 37-54, and
Environmental
Impact Report

Mountain Vista Specific Plan, General Plan Amendment 03-02, Tentative Tract Map 37-54, and Environmental Impact Report **(Keith Hartstrom, Laurie Mitchell)**

NO ACTION: (1) Conduct public hearing. ~~(2) Approve and authorize a Resolution taking actions necessary to approve the Mountain Vistas Specific Plan, General Plan Amendment 03-02, and Tentative Tract Map 37-54, including certification of the Final Environmental Impact Report and adoption of a Statement of Overriding Consideration and Mitigation Monitoring Program.~~

No Action

ADJOURNMENT

Meeting adjourned at 9:50 p.m.

Adjourn meeting and reconvene in regular session of **February 7, 2006**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.